

REMARKS

The Examiner's comments regarding the renumbering of the claims are acknowledged; the claims as presented are numbered beginning with Claim 1.

The specification has been amended to update the section entitled "Cross-Reference to Related Applications". Claims 8-10, 21-23, and 30 have been canceled and claims 1, 13, 14, 26, and 27 have been amended; these amendments find support in the claims as previously entered and throughout the specification, and particularly by the specification at page 38, lines 5-9; no new matter has been added.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1, 14, 27 and dependent claims 2-13, 15-26, and 28-30 were rejected under 35 U.S.C § 112, second paragraph, on the basis that these claims allegedly lacked definiteness.

A. Claims 1, 14, and 27 were considered indefinite for reciting "A method of screening a candidate molecule to identify its ability ..."; these claims have been amended as the Examiner has suggested to recite "A method of screening a candidate molecule to identify/determine its ability ...". By adding the term "determine" as an alternative to the term "identify", these amendments do not narrow the scope of the claims. Withdrawal of the rejection of claims 1, 14, and 27 and their dependent claims on this basis is respectfully requested.

B. Claims 1, 14, and 27 were considered indefinite due to the use of "biological activity", and the use of the phrase "determine the level of a biological activity" in part (b) of each of claims 1, 14, and 27. While Applicants do not accede to these bases for the rejection, in order to place the claims in better condition for allowance, claims 1, 14, and 27 have been amended to replace the phrase "biological activity" with the phrase "kinase activity", obviating these grounds for the rejection.

C. Claims 8-9, 21-22, and 30 were considered indefinite due to the reference to "substrate" in these claims. While Applicants do not accede to these bases for the rejection, in order to place the claims in better condition for allowance, claims 8-9, 21-22, and 30 have been canceled, rendering the rejection of these claims moot.

For at least the above reasons, the bases for the rejection of claims 1, 14, 27 and dependent claims 2-13, 15-26, and 28-30 under 35 U.S.C § 112, second paragraph, have been obviated; withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. § 112, First Paragraph (Enablement)

Claims 1-30 were rejected under 35 U.S.C § 112, first paragraph for purportedly lacking enablement.

For at least the following reasons, the grounds for the rejection as stated in the Office Action have been eliminated.

The foundation of the Office Action's rejection of the claims appears to be a concern that independent claims 1, 14, and 27 are drawn to assays of "any biological activity" of the polypeptides of the invention as related to "any substrate". While Applicants do not accede to these bases for the rejection, in order to place the claims in better condition for allowance, claims 1, 14, and 27 have been amended to replace the phrase "biological activity" with the phrase "kinase activity". Therefore the claims as amended are drawn to assays that measure kinase activity, and not "any biological activity"; eliminating this basis for the rejection. Withdrawal of the rejection of claims 1-30 under 35 U.S.C § 112, first paragraph, is respectfully requested.

Rejection under 35 U.S.C. § 112, First Paragraph (Written Description)

Claims 8-9, 13, 21-22, 26, and 30 were rejected under 35 U.S.C § 112, first paragraph for allegedly not being described in the specification in a sufficient manner to convey to one of skill in the art that the Applicants were in possession of the invention.

The bases for the rejection as stated in the Office Action fall into two distinct categories, which will be discussed separately below. For at least the reasons presented below, the bases for this rejection have been obviated.

A. Claims 8-9, 21-22, and 30

Claims 8-9, 21-22, and 30 were rejected under 35 U.S.C § 112, first paragraph; Applicants do not accede to the basis for the rejection, but in order to place the claims in better condition for allowance, claims 8-9, 21-22, and 30 have been canceled, rendering the rejection of these claims moot.

B. Claims 13 and 26

Claims 13 and 26 were apparently rejected under 35 U.S.C § 112, first paragraph, because they recited *modified* forms of enzymes etc. to be tested as 'candidate molecules' in the claimed assays. While Applicants do not accede to the ground for the rejection, claims 13 and 26 have been amended to remove any reference to *modified* candidate molecules and now these claims recite 'enzymes' and 'polypeptides' as types of candidate molecules to be tested; therefore the basis for the rejection has been eliminated. These amendments do not narrow the scope of claims 13 and 26.

For at least the above reasons, the grounds for the rejection of claims 8-9, 13, 21-22, 26, and 30 under 35 U.S.C. §112, first paragraph, have been eliminated, and withdrawal of the rejection is respectfully requested.

If a telephone interview would be helpful in advancing the prosecution of this application, Applicants' attorney invites the Examiner to contact her at the number provided below.

Respectfully submitted,



Suzanne A. Sprunger, Ph.D.
Attorney for Applicants
Registration No. 41,323
Telephone (206) 265-4071

Amgen Inc.
Law Department
51 University Street
Seattle, WA 98101